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Higher court filing fees could help fund Legal Aid

By Deborah Yetter

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Backers of Legal Aid services for the poor are pushing a measure that would increase court filing fees in Kentucky to raise money for the program, which faces steep funding cuts.

The proposed bill, sponsored by Rep. Charles Geveden, D-Wickliffe, would double the portion of the fee that goes to Legal Aid -- in district court to \$10 from \$5 and in circuit court to \$20 from \$10.

Kentucky's current fee for filing a case in district court is \$50.50, and in circuit court \$108.

The increase still would leave Kentucky's filing fee costs below those of surrounding states and would raise about \$1.3 million a year -- almost enough to replace what Legal Aid is losing from federal and other sources, said Jamie Hamon, executive director of the Access to Justice Foundation, a state poverty law resource center in Lexington.

Geveden said his measure appears to be the only potential source of money for the program, which is being forced to lay off workers and close offices around the state.

Geveden said he's concerned because federal funding hasn't increased in recent years, and states with increased poverty are taking a greater share of the money.

"If you don't come up with the money somewhere, legal services to people in need will diminish or go away," he said.

Hamon said the proposed bill has attracted a number of co-sponsors, and Legal Aid backers are hoping to get it passed in the upcoming legislative session.

Hamon said she knows fee increases aren't popular with lawmakers but hopes they realize the crisis Legal Aid is facing.

"A lot of poor people are not going to get served," she said.

The measure has the endorsement of the Kentucky Bar Association. The association's board of governors voted unanimously last month to back the bill, said KBA President Stephen Catron, a Bowling Green lawyer.

Legal Aid "has been a godsend to a great number of people in this state," Catron said. "We simply must find a way to provide those services to the public."

Larry York, executive director of Appalachian Regional Defense Fund, which provides Legal Aid services in 37 Eastern Kentucky counties and is a KBA board member, said he hopes the measure is approved.

"It would really offset the current cuts," he said.